

**REMARKS**

In the Office Action<sup>1</sup>, the Examiner rejected claims 1-92 under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 5,754,651 to Blatter et al. ("*Blatter*"). By this Amendment, Applicants cancel claims 2, 12, 17, 22, 27, 32, 42, 52, 62, 72, and 82, without prejudice, and amend claims 1, 6, 11, 16, 21, 26, 31, 33-41, 43-51, 53-61, 63-71, 73-81, and 83-92. Claims 1, 3-11, 13-16, 18-21, 23-26, 28-31, 33-41, 43-51, 53-61, 63-71, 73-81, and 83-92 remain pending and under current examination.

Applicants respectfully traverse the rejection of claims 1, 3-11, 13-16, 18-21, 23-26, 28-31, 33-41, 43-51, 53-61, 63-71, 73-81, and 83-92 as allegedly anticipated by *Blatter*. Independent claim 1, for example, recites an information recording apparatus having an access position extracting means for extracting "recording medium access positions indicating addresses on a recording medium corresponding to a time stamp in the contents information." *Blatter* fails to teach or suggest at least the extraction means of claim 1.

*Blatter* discloses creating condensed program specific information (CPSI) from program specific information (PSI) (*Blatter* col. 1, line 35 - col. 2, line 60). According to the Examiner, *Blatter* discloses: "the PSI is so modified as a function of the content addressing ... and timing criteria (i.e., time-stamping, number of times PSI repeats in the data stream ...)" (Office Action at p. 5). However, the PSI and CPSI disclosed in *Blatter* do not "indicat[e] addresses on a recording medium corresponding to a time stamp." *Blatter* merely discloses that the CPSI can be "appl[ied] ... upon detection of a

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<sup>1</sup> The Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicants decline to automatically subscribe to any statement or characterization in the Office Action.

discontinuity between presentation time stamps” (*Blatter* co. 15, lines 65-67). Thus, the CPSI in *Blatter* may be used to handle discontinuities between time stamps, but does not disclose an “address[] on a recording medium corresponding to a time stamp.” *Blatter* thus fails to teach at least the claimed extraction means that extracts recording medium access positions as recited by claim 1.

Although of different scope, independent claims 6, 11, 16, 21, 26, 31, and 92 recite features similar to those of claim 1 already discussed. Claims 3-5 and 33-41 depend from claim 1; claims 7-10 and 43-51 depend from claim 6; claims 13-15 and 53-61 depend from claim 11; claims 18-20 and 63-71 depend from claim 16; claims 23-25 and 73-81 depend from claim 21; and claims 28-30 and 83-91 depend from claim 26. *Blatter* therefore does not anticipate claims 3-11, 13-16, 18-21, 23-26, 28-31, 33-41, 43-51, 53-61, 63-71, 73-81, and 83-92 for at least the same reasons set forth above in connection with claim 1. Therefore, Applicants request that the rejection of the pending claims under 35 U.S.C. § 102(b) be withdrawn and the claims allowed.

Dependent claim 35 further recites an information recording apparatus comprising a “medium key creating means used for choosing the medium key used to encipher the contents key” and a “master key creating means for choosing a master key used to encipher the medium key.” *Blatter* fails to teach or suggest at least the key creating means of claim 35.

*Blatter* discloses a controller that creates a conditional access table (CAT) if a program is to be stored in encrypted form (*Blatter*, col. 9 lines 35-44). The CAT “incorporates an encryption code ... used to generate an encryption key permitting decryption of the encrypted program” (*Blatter* col. 9, lines 48-52). First, the “encryption

code" in *Blatter* is not a key, as it is used to generate encryption keys. Therefore the "encryption code" cannot correspond to any of the contents key, medium key, or master key recited by claim 35. Further, even assuming the "encryption code" were to correspond to one of the claimed keys, *Blatter* only recites the "encryption code" and the "encryption key." At best, *Blatter* discloses only two keys, and does not teach all three keys recited in claim 35.

Moreover, the claimed "medium key" is "used to encipher the contents key," and the claimed "master key" is "used to encipher the medium key." *Blatter* does not disclose that one of the "encryption key" or "encryption code" is used to encipher the other, only that the "encryption code is used to generate an encryption key" (*Blatter*, col. 9 lines 50-51). Therefore, not only does *Blatter* fail to disclose all three keys recited by claim 35, but the closest analogs in *Blatter*, i.e. the "encryption code" and "encryption key," do not have the same function as the claimed keys.

Although of different scope, dependent claims 45, 55, 65, 75, and 85 recite features similar to those of dependent claim 35 already discussed. *Blatter* therefore does not anticipate claims 45, 55, 65, 75, and 85.

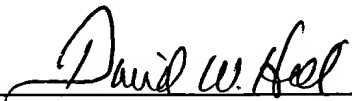
In view of the foregoing remarks, Applicant respectfully requests reconsideration of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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